

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

EXPRESS MAIL LABEL NO.: EV 464 237 093 US

December 29, 2004

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER: Ruff 53

U.S. APPLICATION NO.

Confirmation No.: Unknown

(If known, see 37 CFR 1.5): Unknown

INTERNATIONAL APPLICATION NO.: PCT/EP2003/006244

INTERNATIONAL FILING DATE: June 13, 2003

PRIORITY DATE CLAIMED: July 2, 2002

TITLE OF INVENTION: SUPPORTING DEVICE FOR A PERSON'S BACK AND HEAD AREA

APPLICANT(S) FOR DO/EO/US: Joachim BERC

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not transmitted by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment canceling claims.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:
 - a. Drawings (9 sheets)
 - b. Copy of WO 2004/004843 with International Search Report
 - c. Copy of PCT Request (4 pages)
 - d. Postal Card

U.S. APPLICATION NO.
(if known, see 37 CFR 1.5):

10/520051

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DT15 Rec'd PCT/PTO 29 DEC 2004

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21. [X] The following fees are submitted:

Calculations PTO USE ONLY

| | |
|--|---------------------|
| BASIC NATIONAL STAGE FEE: | \$ 300.00 |
| NATIONAL STAGE SEARCH FEE: | \$ 500.00 |
| NATIONAL STAGE EXAMINATION FEE: | \$ 200.00 |
| NATIONAL STAGE APPLICATION SIZE FEE: | \$ |
| NATIONAL STAGE FEES | = \$1,000.00 |

Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

\$

| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | |
|---|--------------|--------------|------------|-------------------|
| Total claims | 10 - 20 = | 0 | X \$ 50.00 | \$ |
| Ind. claims | 1 - 3 = | 0 | X \$200.00 | \$ |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | + \$360.00 | \$ |
| TOTAL OF ABOVE CALCULATIONS | | | = | \$1,000.00 |

[X] Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.

SUBTOTAL

- \$
= \$ 500.00

Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).

+ \$
= \$

TOTAL NATIONAL FEE

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property

+ \$
= \$ 500.00

TOTAL FEES ENCLOSED

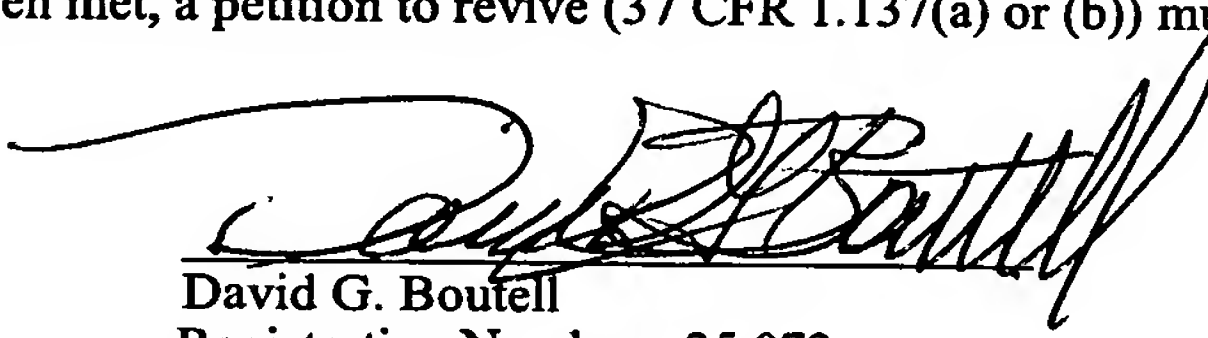
Amount to be refunded: \$
charged: \$

- a. [X] A check in the amount of \$ 500.00 to cover the above fees is enclosed.
b. [] Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.
c. [X] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-1382. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

IN DUPLICATE

PLEASE DIRECT CORRESPONDENCE TO THE ADDRESS
ASSOCIATED WITH THE FOLLOWING CUSTOMER
NUMBER: 23474


David G. Boutell
Registration Number: 25 072
DGB/DJW/pcq/jp

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10/520051

PATENT APPLICATION

DT15 RUS PCT/PTO 29 DEC 2004

Express Mail Label No.: EV 464 237 093 US

Date of Mailing: December 29, 2004

Applicant(s) : Joachim BERC
For : SUPPORTING DEVICE FOR A PERSON'S
BACK AND HEAD AREA

PCT International Application No.: PCT/EP2003/006244

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Atty. Docket No.: Ruff 53

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

EXPRESS MAILING CERTIFICATE

Sir:

I hereby certify that the attached paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

FLYNN, THIEL, BOUTELL & TANIS, P.C.

By: 

Date: December 29, 2004

Document(s) attached: Form PTO-1390 dated December 29, 2004,
and all enclosures listed thereon

Telephone: (269) 381-1156

391.05/03